

Amendment No. 1 to SB0844

Beavers
Signature of Sponsor

AMEND Senate Bill No. 844*

House Bill No. 919

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-10-403, is amended by deleting subsection (a)(3) and substituting instead the following:

(3) For purposes of this section, a person who is convicted of a violation of § 55-10-401 shall not be considered a repeat or multiple offender and subject to the penalties prescribed in subsection (a), if ten (10) or more years have elapsed between the date of the present violation and the date of any immediately preceding violation of § 55-10-401. If, however, the date of a person's violation of § 55-10-401 is within ten (10) years of the date of the present violation, then the person shall be considered a multiple offender and is subject to the penalties imposed upon multiple offenders by the provisions of subsection (a). If a person is considered a multiple offender under this subdivision (a)(3), then every violation of § 55-10-401, within ten (10) years of the date of the immediately preceding violation shall be considered in determining the number of prior offenses, but in no event shall a violation occurring more than twenty (20) years from the date of the instant violation be considered for that purpose. However, the ten (10) and twenty (20) year limitation periods shall be tolled from the date of any violation occurring on or after July 1, 2010, but only as to that violation.

SECTION 2. This act shall take effect on July 1, 2010 and in order for this act to